

APPLETON CITY COUNCIL
WEDNESDAY, April 15th, 2020 – 5:30 P.M.
Appleton Civic Center
Regular Meeting
-AGENDA-

Establish Quorum Via Roll Call Vote:

Mayor Tosel will call out each City Councilor's name in the following manner:

Councilor Molden are you Present?
Councilor Schmidt are you Present?
Councilor Hammerud are you Present?
Councilor Heinecke are you Present?

With this Quorum being established, I hereby call the Wednesday April 15th, 2020 Regular Meeting of the Appleton City Council to order.

I. Public Hearing: – Local Board of Appeal and Equalization (LBAE)

Motion to Open Public Hearing:

- A.** Any City Council member who wishes to make the motion must state their name and read the motion

I, Council Member _____, Motion to open a public hearing of the Local Board of Appeals and Equalization.

- B.** The Mayor must then restate the motion (paraphrase) in the following manner:

"A motion has been made by Councilor _____, to open a public hearing of the Local Board of Appeals and Equalization.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

- C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:**

Councilor Schmidt, what say you?
Councilor Molden, what say you?
Councilor Heinecke, what say you?
Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries Unanimously with 5 Yeas, the public hearing for the Local Board of Appeals and Equalization is now open.

Motion to Recess Public Hearing:

- A.** Any City Council member who wishes to make the motion must state their name and read the motion

I, Council Member _____, Motion to recess the public hearing of the Local Board of Appeals and Equalization until the Wednesday May 20th, 2020 Regular Meeting of the Appleton City Council, pursuant to a memorandum and guidance from Mr. Jon Klockzeim, Director of Property Tax, Minnesota Department of Revenue.

- B.** The Mayor must then restate the motion (paraphrase) in the following manner:

“A motion has been made by Councilor _____, to recess the public hearing of the Local Board of Appeals and Equalization until the Wednesday May 20th, 2020 Regular Meeting of the Appleton City Council.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?”

Roll call vote:

- C. Mayor Tosel will call out each City Councilor’s name in the following manner after reading the motion:**

Councilor Schmidt, what say you?
Councilor Molden, what say you?
Councilor Heinecke, what say you?
Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries Unanimously with 5 Yeas, the public hearing for the Local Board of Appeals and Equalization is hereby Recessed until the Wednesday May 20th, 2020 Regular Meeting of the Appleton City Council.

- II. Approval of Minutes:** March 11th Special Meeting, April 6th Emergency Meeting

Motion to Approve Minutes:

- A.** Any City Council member who wishes to make the motion must state their name and read the motion

I, Council Member _____, Motion to Approve minutes from the March 11th, 2020 Special Meeting and the April 6th, 2020 Emergency Meeting of the Appleton City Council as presented.

- B.** The Mayor must then restate the motion (paraphrase) in the following manner:

“A motion has been made by Councilor _____, to Approve minutes from the March 11th, 2020 and April 6th, 2020 meetings of the Appleton City Council.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:

Councilor Schmidt, what say you?
Councilor Molden, what say you?
Councilor Heinecke, what say you?
Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries Unanimously with 5 Yeas, the minutes from the March 11th, 2020 and April 6th, 2020 meetings are hereby approved.

III. Presentations:

APEX – PFA Grant Vs. Loan
Streets Supervisor – MDH Sanitary Survey

IV. Changes to Agenda:

V. Public Comments:

VI. Old Business:

VII. New Business:

- Resolution to Extend period of Declared Local Emergency (Council Action)

Motion to Adopt Resolution 2020-13:

A. Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Adopt resolution 2020-13 extending the Mayor's declaration of a local emergency pursuant to Minn.Stat.§ 12.29, which shall remain in effect until further action of the City Council or as long as the State of Minnesota peacetime emergency declaration of the Governor's Executive Order 20-01 remains in effect.

B. The Mayor must then restate the motion (paraphrase) in the following manner:

"A motion has been made by Councilor _____, to Adopt Resolution 2020-13 extending the declaration of a local emergency until further action of the City Council or as long as Governor Walz' Executive Order 20-01 remains in effect.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:

Councilor Schmidt, what say you?
Councilor Molden, what say you?
Councilor Heinecke, what say you?
Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries Unanimously with 5 Yeas, be it resolved that the declaration of a local emergency shall remain in effect until further action of the Appleton City Council or as long as Governor Walz' Executive Order 20-01 remains in effect.

- Fund Balance Policy (Council Action)

Motion to Approve Fund Policy:

A. Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Approve fund policy pursuant to Government Accounting Standard's Board Statement 54.

B. The Mayor must then restate the motion (paraphrase) in the following manner:

"A motion has been made by Councilor _____, to Approve fund policy pursuant to Government Accounting Standards Board Statement 54.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:

Councilor Schmidt, what say you?
Councilor Molden, what say you?
Councilor Heinecke, what say you?
Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ____ Yeas and ____ Nays, so moved.

- Paycheck Protection Program – SBA Loan Update
- Appointing Members to the Revolving loan fund Board (Council Action)

Motion to Appoint Members to the Revolving Loan Fund Board:

- A.** Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Appoint Mr. Eddie Masee, Mr. Gene Wenstrom, and Mr. Jon Heinecke to the Appleton Revolving Loan Fund Board.

- B.** The Mayor must then restate the motion (paraphrase) in the following manner:

“A motion has been made by Councilor _____, to Appoint members to serve on the Appleton Revolving Loan Fund Board.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?”

Roll call vote:

- C. Mayor Tosel will call out each City Councilor’s name in the following manner after reading the motion:**

Councilor Heinecke, being recused will not submit a vote.

Councilor Schmidt, what say you?

Councilor Molden, what say you?

Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ____ Yeas and ____ Nays, so moved.

- G.O. Health Facilities Refund Bond Update
- Appleton Area Health February Financials
- Hospital Repayment suspended until June (Council Action)

Motion to Allow AAH Repayment to be suspended until June 1st, 2020:

- A.** Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Approve the suspension of AAH’s \$5,000.00 monthly repayment installments until June 1st, 2020.

- B.** The Mayor must then restate the motion (paraphrase) in the following manner:

“A motion has been made by Councilor _____, to Allow AAH’s \$5,000.00 monthly repayment installment to be suspended until June 1st, 2020.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:

Councilor Hammerud, what say you?

Councilor Heinecke, what say you?

Councilor Molden, what say you?

Councilor Schmidt, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ___ Yeas and ___ Nays, so moved.

- Resolution to acknowledge first quarter Gifts and Donations for 2020 (Council Action)

Motion to Acknowledge First Quarter Gifts and Donations for 2020:

A. Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Approve Resolution 2020-14 acknowledging gifts and donations for the first quarter of year 2020.

B. The Mayor must then restate the motion (paraphrase) in the following manner:

"A motion has been made by Councilor _____, to Approve the Resolution 2020-14 Acknowledging first quarter gifts and donations for year 2020.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:

Councilor Molden, what say you?

Councilor Heinecke, what say you?

Councilor Schmidt, what say you?

Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ___ Yeas and ___ Nays, so moved.

- Bader Property Purchase (Council Action)

Motion to Purchase Bader Property:

- A.** Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Approve the purchase of Mr. Darrell H. Bader's property, 136 East Ronning Avenue Parcel Number 22-0484-000, for the amount of \$45,500.00.

- B.** The Mayor must then restate the motion (paraphrase) in the following manner:

"A motion has been made by Councilor _____, to Approve the purchase of 136 East Ronning Avenue for \$45,500.00.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

- C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:**

Councilor Molden, what say you?
Councilor Heinecke, what say you?
Councilor Schmidt, what say you?
Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ___ Yeas and ___ Nays, so moved.

- McCarty Property Purchase (Council Action)

Motion to Purchase McCarty Property:

- A.** Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Approve the purchase of Mr. Donald McCarty property, 140 West Thielke Avenue Parcel Numbers 22-0025-000 and 22-0026-000, for the amount of \$1,495.09.

- B.** The Mayor must then restate the motion (paraphrase) in the following manner:

"A motion has been made by Councilor _____, to Approve the purchase of 140

West Thielke Avenue for \$1,495.09.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:

Councilor Molden, what say you?

Councilor Heinecke, what say you?

Councilor Schmidt, what say you?

Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ___ Yeas and ___ Nays, so moved.

- Retirement of City Clerk-Treasurer (Council Action)

Motion to Accept Resignation of City Clerk-Treasurer:

A. Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Accept the resignation of Mr. Roman Fidler from the role of City Clerk-Treasurer, and to authorize the City Administrator to negotiate and execute all severance arrangements relative to Mr. Fidler's resignation.

B. The Mayor must then restate the motion (paraphrase) in the following manner:

"A motion has been made by Councilor _____, to Approve Mr. Roman Fidler's resignation and to allow the City Administrator to negotiate and execute all severance arrangements relative to the resignation of Mr. Roman Fidler.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:

Councilor Schmidt, what say you?

Councilor Molden, what say you?

Councilor Heinecke, what say you?

Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ___ Yeas and ___ Nays, so moved.

- Wastewater Equipment Purchase or Repair (Council Action)

Motion to Approve Purchase of Necessary Wastewater Equipment:

A. Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Approve the purchase of a floating Aerator for the Wastewater Treatment Facility for an amount not to exceed \$42,000.00 and to allow for the City Administrator to seek out and execute a finance or lease-to-own contract that does not exceed \$42,000.00.

B. The Mayor must then restate the motion (paraphrase) in the following manner:

“A motion has been made by Councilor _____, to Approve the purchase of necessary wastewater equipment not to exceed an amount of \$42,000.00 and to allow the City Administrator to seek out and execute a finance or lease-to-own contract for said equipment not to exceed \$42,000.00.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?”

Roll call vote:

C. Mayor Tosel will call out each City Councilor’s name in the following manner after reading the motion:

Councilor Schmidt, what say you?

Councilor Molden, what say you?

Councilor Heinecke, what say you?

Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ___ Yeas and ___ Nays, so moved.

- Invoice Amounts Beyond City Purchase Policy Threshold (City Council Action)
 - Liability and Casualty Insurance – Renewal Policy Bill (\$76,624.00)
 - Workers Comp Coverage Premium – LMC Audit Assessment (\$9,165.00)
 - APEX Funding Application Services (\$5,832.00)
 - APEX Design Services Completed to date (\$99,984.60)
 - Standard and Poor’s Rating Engagement (\$10,000.00)

Motion to Approve Payment of Invoices Beyond City Purchase Policy Threshold:

- A.** Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Approve payment of invoices beyond the City Purchase Policy in the amount of \$201,605.00 as presented by City Staff.

- B.** The Mayor must then restate the motion (paraphrase) in the following manner:

“A motion has been made by Councilor _____, to Approve the payment of invoices for APEX Engineering Services, Workers Compensations Audit Assessment, Liability & Casualty Insurance Renewal, and Standard & Poor’s Rating services in the amount of \$201,605.00.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?”

Roll call vote:

- C. Mayor Tosel will call out each City Councilor’s name in the following manner after reading the motion:**

Councilor Schmidt, what say you?
Councilor Molden, what say you?
Councilor Heinecke, what say you?
Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ____ Yeas and ____ Nays, so moved.

VIII. Staff Report:

- Transaction Summary

IX. Adjournment:

Motion to Adjourn:

- A.** Any City Council member who wishes to make the motion to adopt the resolution must state their name and read the motion

I, Council Member _____, Motion to Adjourn the Wednesday April 15th, 2020 regular meeting of the Appleton City Council.

- B.** The Mayor must then restate the motion (paraphrase) in the following manner:

“A motion has been made by Councilor _____, to Adjourn this regular meeting of the Appleton City Council.

Do I hear a second motion to approve?

Councilor _____, has seconded the motion, will there be any discussion?"

Roll call vote:

C. Mayor Tosel will call out each City Councilor's name in the following manner after reading the motion:

Councilor Schmidt, what say you?

Councilor Molden, what say you?

Councilor Heinecke, what say you?

Councilor Hammerud, what say you?

My vote as Mayor of the Appleton City Council is?

The motion Carries/Fails with ___ Yeas and ___ Nays, so moved.

Mayor:

Dan L. Tosel

Council Members:

Tori Hammerud

Jason Heinecke

Amber Molden

Andrew Schmidt